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Attorney Docket No. IMMR-058/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Donald NELSON et al.

Serial No.: 09/912,434

Examiner: Chante E. Harrison

Filed: July 24, 2001

Art Unit: 2672

Confirmation No.: 5963

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For: GRAPHICAL OBJECT INTERACTIONS

Technology Center 2600

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

TRANSMITTAL OF DOCUMENTS

Enclosed are the following for the above-identified application:

[x] Statement of the Substance of the Interview

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.

§§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to

Deposit Account No. 50-1283.

Dated: November 5, 2004

Respectfully submitted,
COOLEY GODWARD LLP

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STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

In accordance with M.P.E.P Section 713.04, Applicants hereby submit the following statement of the substance of the interview on November 5, 2004 with Examiner Chante Harrison.

The Applicants' representative and Examiner Harrison discussed the Advisory Action mailed on November 1, 2004 ("the Advisory Action"). Examiner Harrison stated that the Advisory Action was mailed in response to the Reply and Amendment Under 37 C.F.R. 1.116 filed on June 24, 2004, and not in response to the Request for Continued Examination filed on September 23, 2004. Examiner Harrison stated that no response to the Advisory Action is required and that separate response to the Request for Continued Examination will be forthcoming.

The Applicants' representative and Examiner Harrison also discussed the Examiner's statement in the Advisory Action that the Applicants are not entitled to the benefit of 35 U.S.C. 103(c) because the priority date of this application is prior to the effective date of 35 U.S.C. 103(c) (i.e., November 29, 1999). Applicants' representative directed the Examiner's attention to M.P.E.P. 706.02(1), which states "[t]he mere filing of a continuing application on or after November 29, 1999, with the required evidence of common ownership, will serve to exclude commonly owned 35 U.S.C. 102(e) prior art that was applied, or could have been applied, in a

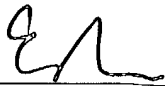
rejection under 35 U.S.C. 103 in the parent application.” The Examiner agreed that the present application is entitled to the benefit of 35 U.S.C. 103(c).

Respectfully submitted,

COOLEY GODWARD LLP

Date: November 5, 2004

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